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Summary record of the 1588th meeting
Held at the Palais des Nations, Geneva, on Friday, 2 March 2018, at 10 a.m.

Chair: Ms. Arocha Domínguez (Vice-Chair)

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In the absence of Ms. Leinarte, Ms. Arocha Dominguez, Vice-Chair, took the Chair.

The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined initial and second and third periodic reports of the Marshall Islands (CEDAW/C/MHL/1-3; CEDAW/C/MHL/Q/1-3 and CEDAW/C/MHL/Q/1-3/Add.1)

1. *At the invitation of the Chair, the delegation of the Marshall Islands took places at the Committee table.*

2. **Ms. Helkena** (Marshall Islands), introducing her country's periodic reports, said that, owing to its geography and history, the Marshall Islands faced a unique set of challenges, which included the long-term legacy of the United States Nuclear Testing Programme. In the Marshall Islands, women's customary rights and matrilineal traditions coexisted with dissonant gender inequalities and stereotypes, manifest, in particular, in gender roles, decision-making and income generation. The national economy, which was based on commercial marine resource activities and the export of coconut-based products, was fragile and heavily dependent on foreign aid, in particular from the United States, whose military base also made a major economic contribution. Private sector growth was constrained by the country's small size, isolation and geography. Those challenges were compounded by the State's limited capacity and resources, including scant human resources, and its vulnerability to climate change, which had a particular impact on women, children and persons with disabilities. In that connection, she noted that the link between climate change and human rights was increasingly being acknowledged by the international community.

3. The Government of the Marshall Islands was committed to the principles of equality and non-discrimination and would continue its efforts to ensure progressive compliance with the Convention. The Constitution recognized the right to equality before the law and prohibited discrimination on a range of grounds, including gender. Although constitutional amendments had been proposed that would have introduced temporary electoral quotas for women and added sexual orientation as a prohibited ground for discrimination, the proposals had been rejected by the 2017 Constitutional Convention. Nevertheless, a raft of legislation adopted since 2006 on issues including domestic violence, children's rights, trafficking in persons and the rights of persons with disabilities reflected the progress made towards full implementation of the Convention.

4. At the request of the Government, a review of all legislation relating to the Convention was due to be carried out by the United Nations Economic and Social Commission for Asia and the Pacific and the Pacific Islands Forum Secretariat with a view to drafting compliant legislation. The review would address concerns raised by the Committee, including the lack of a definition of discrimination against women in line with article 1 of the Convention and the need for gender-inclusive disaster risk management legislation. Following the legislative review, the Government planned to draft a stand-alone anti-discrimination bill that would be ready for submission to parliament by early 2019.

5. The Ministry of Foreign Affairs and Trade had deposited with the Secretary-General of the United Nations the instruments of accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Moreover, the State's accession to the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182) was currently before parliament and the Cabinet was expected also to consider ratification of the Optional Protocols to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

6. While the Marshall Islands had no national human rights institute or formal reporting and follow-up mechanism, the national Human Rights Committee was a multi-stakeholder body with a broad mandate to promote human rights, including by providing advice to the Government, supporting the development of human rights policy and

legislation, monitoring implementation, preparing reports to the human rights treaty bodies and investigating complaints of human rights violations. A proposal to establish an ombudsman's office had been approved by the Constitutional Convention and was currently before parliament; it would subsequently be put to referendum.

7. The Gender and Development Office of the Ministry of Culture and Internal Affairs was the body responsible for national policy on gender mainstreaming. The main policy goals were strengthening capacity to integrate gender equality into services and programmes, eliminating gender-based violence, protecting and caring for victims and improving women's economic empowerment. Another aim of the policy was to identify vulnerable groups of women, including those living on the outer islands and those with disabilities. Although the Office had recently been expanded, it still lacked sufficient human and financial resources and development partners were vital to provide capacity-building, financial and technical support.

8. Children had a constitutional right to education at all levels and the State education system had recently reviewed its gender and social inclusion policy with a view to including human rights, gender and nuclear issues in the school curriculum. A family health curriculum would also be implemented during the forthcoming academic year. Provisions that would help pregnant girls to remain in education had also been introduced. Although those measures were currently applied only in State schools, the National Board of Education was considering ways to enforce them within the private sector as well. Furthermore, in response to the high teenage pregnancy rate in the country, and recognizing the need for a rights-based, action-oriented strategic plan, the Government had developed a national prevention strategy to address that urgent, ongoing challenge.

9. The prevalence of violence against women and girls was alarmingly high, and was perpetuated by social attitudes towards domestic violence; even among women, a majority agreed that a man could justifiably "discipline" a woman. A total of 48 applications for protection had been filed with the courts since the entry into force of the Domestic Violence Prevention and Protection Act; of that total, 25 had been granted, 1 remained pending and the remainder had been either dismissed or withdrawn. The implementation of domestic violence legislation had been supported by a trust fund grant from the United Nations to promote dissemination, awareness-raising, prevention and protection activities. Moreover, training had been provided to judges presiding over gender-based violence cases, and a protocol on domestic violence and standards of care had been developed for health-care providers in partnership with the national NGO Women United Together Marshall Islands.

10. The Ministry of Culture and Internal Affairs had taken steps to improve the collection of gender statistics, including through the 2012 Family Health and Safety Study. The Ministry also collected data on women's formal employment, education, health, gender-based violence and women in decision-making in order to monitor progress towards gender equality. The aforementioned legislative review of provisions relating to the Convention was expected to generate proposals to enhance the collection and use of gender-disaggregated statistics.

11. Although women's participation in the workforce had increased faster than men's over the past decade, employment rates remained significantly higher among men. A bill currently before parliament that would establish minimum conditions of employment included provisions for non-discrimination, equal pay for equal work, breastfeeding and maternity leave, and also set specific conditions for the employment of children.

12. Given that the State's resources and capacity were limited, and that the advancement of human rights required the involvement of all stakeholders, the Government cooperated with NGOs and other development partners including the Pacific Community and the Office of the United Nations High Commissioner for Human Rights for the Pacific Region.

13. Further advances were envisaged in the field of human rights through implementation of the Agenda 2020 framework for progress, which provided a road map for reform and social development. The Government also acknowledged the need to further strengthen its human rights infrastructure and national machineries, to enhance the capacity of law enforcement services and social workers and to forge closer partnerships with civil society. As part of its efforts to raise awareness of the Convention and other human rights

[illegible] intended to nominate parliamentary champions to ensure that all legislation took [illegible] the rights of women and girls and other marginalized persons.

14. Although challenges remained, notably in relation to data collection, reporting systems, capacity-building and resources, the Government was committed to developing a comprehensive database that would facilitate analyses in health, justice, education and other sectors. It was likewise committed to strengthening its relationship with the international community and looked forward to discussing with the Committee how best to obtain support for public sector capacity-building, human rights awareness-raising programmes, software development and the efficient collection of data on climate change and social indicators.

Articles 1, 2 and 5

15. **Ms. Schulz** said that she would appreciate clarification as to the status of the resolution concerning ratification of the Optional Protocol to the Convention. She would likewise appreciate information on the time frame envisaged for the adoption of specific anti-discrimination legislation and the review of existing legislative provisions to ensure compatibility with the Convention.

16. With regard to the inclusion of a definition of discrimination in line with article 1 of the Convention in national legislation, it would be helpful to know when the next Constitutional Convention was due to take place and whether there were plans to extend protection to cases involving discrimination by non-State actors, individuals or enterprises and to expand the list of prohibited grounds for discrimination to include disability, sexual orientation and gender identity, either in the provisions of the Constitution or in the anti-discrimination bill. Moreover, would the planned revision include de facto or substantive equality within the scope of the right to equal protection under the law?

17. She asked whether customary law took precedence over the guarantees contained in the Bill of Rights and, if it did, whether the Government planned to review such provisions in order to ensure the primacy of the Convention and the Constitution. She wondered what legal redress was available to victims of violations of the right to equality, equal protection and non-discrimination on the basis of gender that were associated with the traditional rights addressed in article X of the Constitution. She would also be interested to know whether the civil courts reviewed rulings issued by the Traditional Rights Court.

18. Lastly, she invited the delegation to comment on the status of plans to establish an ombudsman's office, including the date when the proposal was expected to be put to referendum. Likewise, it would be useful to have updated information on the functions and role of the recently established interministerial committee, particularly its role in protecting women's rights to equality and non-discrimination.

19. **Mr. Adiniwin** (Marshall Islands) said that the draft legislation on the ratification of the Optional Protocol to the Convention would shortly be submitted to parliament, in line with the deadline established by the Speaker of the Nitijela (the Parliament of the Marshall Islands). The scope of the anti-discrimination bill would depend on the outcome of the comprehensive review carried out by the Pacific Community's Regional Rights Resource Team. To date, there had been no cases of conflict between the provisions of customary law and those of the Constitution. In any case, under the Constitution, the Nitijela, in consultation with the Council of Iroij (chiefs), was empowered to formalize customary law through legislation. The High Court had jurisdiction over criminal and civil matters, including those relating to traditions and customs. Cases pertaining to the latter would be referred to the Traditional Rights Court, which would then issue a recommendation for the consideration of the High Court. The time frame for a referendum depended on the Speaker. The next Constitutional Convention would be held in 10 years' time. In the meantime, however, provisions relating to discrimination against women could be incorporated into the anti-discrimination bill that the Government planned to draft in 2019.

20. **Ms. Schulz** said that the Government should incorporate all issues due to be submitted for consideration by the Constitutional Convention into the anti-discrimination bill in order to avoid having to wait another decade to address matters such as the concept of equality, discrimination by non-State actors and the extension of the list of

characteristics expressly protected against discrimination) to include disability, sexual orientation and gender identity.

21. Reminding the delegation that States parties were responsible for ensuring respect for the principles of gender equality and non-discrimination even if they accepted the existence of customary law, she suggested that the State party consult the Committee's general recommendation No. 33 (2015), on women's access to justice, for guidance in addressing problems associated with the coexistence of the two systems.

22. Noting that a comprehensive legislative review was a long-term undertaking, requiring a set time frame and pre-established priorities, she asked why the scope of the anti-discrimination bill would depend on the outcome of the review. She suggested that a bill covering a wide range of issues and establishing core legal principles could be drafted in advance, and could subsequently be considered within the framework of the legislative review, when possible sources of conflict could be identified and relevant amendments proposed.

23. **Ms. Helkena** (Marshall Islands) said that the Government would take the Committee's suggestions into consideration.

Article 3

24. **Ms. Ranz** said that she wished to know how the National Strategic Plan/Sustainable Development Goals Committee planned to implement Sustainable Development Goal No. 5 across the five sectoral areas covered by its various subcommittees; how that Committee's work was aligned with the 2016 implementation plan for the 2014 Gender Mainstreaming Policy, which also had five areas of focus; and what specific progress and updates had been reported so far by the National Strategic Plan/Sustainable Development Goals Committee. She wondered why the term "equitable participation" had been used in the title of the fifth area of focus of the implementation plan rather than the term "equal participation". It would be useful to learn what specific steps had been taken to secure a sustainable increase in the budget allocated to the Gender and Development Office in the Ministry of Internal Affairs and what role was played by the new Gender Development Coordinator and the new Gender Development Officer in the mainstreaming of gender and women's rights across the Government. Did those positions have sufficient powers and resources? And what steps had been taken to raise awareness of those positions among women in the outer islands and conduct outreach programmes for them?

25. She would also appreciate updates on the progress made towards implementation of the proposal to establish a system of gender focal points across the Government and, following the conclusion of the Revised Pacific Platform for Action on Advancement of Women and Gender Equality (2005–2015), on the State party's continued involvement in the promotion and coordination of gender issues at the regional level. She wondered whether the Youth Policy 2014 had been updated and, if it had, how it would protect the rights of girls and ensure the equal inclusion of girls and boys.

26. **Ms. Helkena** (Marshall Islands) said that, in a few months' time, the National Strategic Plan/Sustainable Development Goals Committee would be organizing a comprehensive consultation with representatives of a number of ministries in order to develop an implementation plan. The Government was grateful to those development partners, including the United Nations Children's Fund (UNICEF), that had shown an interest in acting as observers to the consultation process and hoped to invite other development agencies to do so. In that context, the social sector team would give due regard to the Convention, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. The establishment of a system of gender focal points would be discussed as part of the consultation process. The team was currently working with the Secretariat of the Pacific Community to develop a booklet on indicators and needs.

27. The Gender and Development Office did not have a large budget and, for that reason, actively sought capacity-building assistance from regional agencies and partners. The Office expected to receive an Australian volunteer in April 2018. The Regional Rights Resource Team had its own staff. The task of reaching rural women represented a

considerable challenge. The social sector team planned to mobilize additional funding from development partners and agencies with a view to addressing the specific issues faced by outer island women. It was expected that the new Youth Policy would be approved later in 2018.

28. **Ms. Rana** said that the Committee would urge the State party to ensure that the outcomes of the forthcoming consultation process were in line with the Sustainable Development Goals and that gender focal points were granted adequate powers. She wondered whether the Office planned to advocate for an increase in its budget and whether a commitment to gender equality and women's empowerment would be incorporated into the updated Youth Policy. It would be useful to know what the State party had learned from the treaty reporting workshop in which it had participated in 2017; what steps had been taken to implement what had been learned at that and similar events; and whether the State party had any definite plans to improve its data-collection practices.

29. **Ms. Helkena** (Marshall Islands) said that the Government had been working with the Social Development Programme of the Secretariat of the Pacific Community to provide technical assistance and training. A gender profile booklet had been drafted and would soon be finalized. A great deal had been learned from the workshops that had been held on the reporting process, and the preparation of the report under consideration had also been a useful exercise in that connection.

30. **Ms. Schulz** asked whether training on gender equality was organized for members of the judiciary and other actors in the justice system.

31. **Ms. Helkena** (Marshall Islands) said that training courses on gender equality were typically organized for judges once a year.

Article 4

32. **Ms. Jahan** said that, following the 2017 Constitutional Convention's decision to reject the proposal to reserve a fixed number of seats for women in the Nitijela, she wished to know what proactive steps were being taken to win support for temporary special measures aimed at increasing the political representation of women; whether such measures could be implemented without approval from the Constitutional Convention; and whether efforts had been made to raise awareness among legislators, policymakers and the general public of the importance of temporary special measures in accelerating de facto equality. In the Committee's experience, such aims could often be achieved through lobbying.

33. It would be useful to learn whether the State party used temporary special measures other than quota systems in the Nitijela, the civil service, the education sector, the labour market and the financial service sector to benefit women who faced multiple discrimination or were marginalized, including women in the outer islands, women living in poverty, women with disabilities and older women; and what steps were planned to use temporary special measures to increase women's representation in decision-making and management positions in the public and private sectors. Lastly, she wondered whether the State party planned to study the experience of other countries in the Pacific region that had successfully implemented temporary special measures in the past.

34. **Ms. Helkena** (Marshall Islands) said that, immediately after the 2017 Constitutional Convention, consideration had been given to the possibility of introducing a bill to provide for temporary special measures aimed at increasing the political representation of women. Three female politicians from the Pacific region had been featured in a recent study on women's participation in politics in which temporary special measures had been discussed.

35. **Mr. Adiniwin** (Marshall Islands) said that temporary special measures were a relatively new concept in the Marshall Islands. The proposal submitted to the Constitutional Convention had represented the first attempt to increase the political representation of women by introducing temporary special measures; it had initially been assumed that such measures could not be introduced unless explicitly provided for in the Constitution. However, such measures could in fact be introduced following their incorporation into law or adoption by the Cabinet.

36. **Ms. Jahan** said it was likely that temporary special measures would have the greatest impact in the outer islands. She would urge the State party to strengthen advocacy for such measures in the media and ensure that men were involved in the process of their introduction.

37. **Ms. Helkena** (Marshall Islands) said that the Committee's suggestions regarding temporary special measures had been duly noted. The Marshall Islands were keen to learn from the best practices of other countries.

Article 5

38. **Ms. Acar** said that she would appreciate specific examples of the measures that the State party had taken in coordination with NGOs to raise awareness of, and eliminate, gender stereotypes. She wondered, for example, whether educational curricula and teaching materials had been reviewed to eliminate messages promoting and normalizing gender stereotypes and whether the outer islands were being specifically targeted in media campaigns.

39. Given the nature of social attitudes towards domestic violence in the State party, it was not surprising that few cases were reported. In the Committee's experience, the successful implementation of laws such as the Domestic Violence Prevention and Protection Act depended on prior awareness-raising, appropriate support mechanisms for victims and adequate funding. In that connection, it was unclear what percentage of the national budget was allocated to efforts to prevent and combat violence against women; whether police officers, health-care professionals and teachers received training on the Domestic Violence Prevention and Protection Act; and whether there were plans to establish a specific aggravated offence in the Criminal Code to cover sexual acts committed against persons aged under 14 years by a family member or relative.

40. Lastly, it would be helpful if the delegation could indicate what measures had been taken to ensure that members of the Nitijela and local government representatives paid due regard to gender equality and whether training was provided for them.

41. **Ms.** Karina **Debrum** (Marshall Islands) said that one cause of the increasing prevalence of domestic violence was the high rate of emigration to the United States of America, which had led to a breakdown in family structures. The situation was evolving faster than the Government's capacity to respond. However, the Government was working with NGOs, including Women United Together Marshall Islands, which had set up a system of shelter assistance. Efforts to tackle domestic violence were hampered by a lack of resources.

42. In implementation of the Domestic Violence Prevention and Protection Act, all fines collected from convictions secured under the Act were paid into a dedicated fund intended to be used to support victims. Regrettably, however, the total value of fines collected so far was low, as many cases of domestic violence were prosecuted under the Criminal Code instead. That matter would be addressed at the consultation process scheduled for later that year.

43. **Ms.** Sally Ann **Debrum** (Marshall Islands) said that gender was one of the topics that would be included in the revised school curriculum. In addition, all school textbooks would undergo a review aimed at eliminating gender stereotypes. The Regional Rights Resource Team was providing support in that regard. Teacher training courses were held every summer, and human rights and gender were among the subjects covered.

44. **Mr. Adiniwin** (Marshall Islands) said that the Domestic Violence Prevention and Protection Act contained a number of special provisions. For example, it granted victims the right to contact a judge directly in order to obtain temporary protection. Statutory rape, or sexual relations with a minor aged under 14 years, was an offence under the Criminal Code, which also prohibited sexual relations between relatives.

45. **Ms. Helkena** (Marshall Islands) said that the Government had provided some funding to support the domestic violence programme organized by the Women United Together Marshall Islands. Training was provided for police officers and would be strengthened further. Mobile teams conducted visits to the outer islands, which were

difficult to contact by other means. Relevant materials were produced in the Marshallese language, and translations had also been produced for, inter alia, the Church and local government.

46. **Ms. Acar** said that she would appreciate clarification regarding the relationship between the Domestic Violence Prevention and Protection Act and the Criminal Code. It seemed that, although victims had easier access to the courts under the Act, the penalties provided for under the Criminal Code were more stringent. Could the delegation confirm that, under existing legislation, the fact that the perpetrator of an act of sexual abuse against a minor aged under 14 years was a relative of the victim was not recognized as an aggravating circumstance?

47. **Ms. Gbedemah**, noting that the Marshall Islands was a matrilineal society in which women had traditionally had a role in decision-making and were recognized for their contributions to peaceful development, asked to what extent the Government leveraged those traditions to combat domestic violence and challenge negative gender stereotypes.

48. **Ms.** Karina **Debrum** (Marshall Islands) said that, in addition to teaching in schools, a series of radio programmes was being devised to raise awareness of the Convention and women's rights and to foster renewed interest in the country's traditional beliefs and culture.

49. **Mr. Adiniwin** (Marshall Islands) said that prosecutors could choose whether to prosecute cases of domestic violence under the Domestic Violence Prevention and Protection Act or under the Criminal Code. The majority of cases were prosecuted under the latter, since it contained stricter penalties; however, victims still had recourse to the temporary protection measures provided for in the Act.

Article 6

50. **Ms. Gabr** said that, while she welcomed the adoption of the Prohibition of Trafficking in Human Persons Act 2017 and the associated National Action Plan to Combat Trafficking as well as the allocation of government funding for victim services and awareness-raising activities, she was concerned that there had been just two investigations relating to trafficking in persons in the past year. She wished to know what action was being taken to increase investigations, prosecutions and convictions for trafficking offences; whether the State party intended to ratify the Trafficking in Persons Protocol; whether there were any plans to study the root causes and extent of human trafficking in the country; and what training and awareness-raising activities were provided for diplomats, law enforcement officers and other public officials. She wondered whether the State party had assessed the impact of its public awareness-raising campaigns and, if so, what the results had been; whether victim identification procedures incorporated a gender-sensitive approach, in particular with regard to trafficking victims forced into prostitution; and whether any shelters for victims had been established.

51. Since, according to paragraph 95 of the State party report, engaging in or soliciting prostitution were felony offences, she would like to know whether women trafficked for the purposes of sexual exploitation or prostitution were criminalized; what measures had been taken to reduce demand for the commercial sex trade; what types of sanctions could be imposed on individuals convicted of trafficking or pimping; and what efforts had been made to combat the recruitment of women and girls who were forced into prostitution for crew members of foreign fishing vessels. Lastly, noting with concern that pregnant Marshallese women were being trafficked to the United States where they subsequently gave birth and gave their babies up for adoption, she asked what action had been taken to combat that phenomenon.

52. **Mr. Adiniwin** (Marshall Islands) said it was true that just two trafficking-related investigations had so far been undertaken. However, the Prohibition of Trafficking in Human Persons Act was still very new, having only been enacted in 2017. Awareness-raising and training were still required; with time, the Government was confident that the Act would result in more prosecutions. Due consideration would be given to acceding to the Trafficking in Persons Protocol and to undertaking research to study the root causes of human trafficking in the country.

53. **Ms. Gabr** said that she would encourage the State party to step up its awareness-raising activities for the public and increase training for justice officials in relation to the Prohibition of Trafficking in Human Persons Act.

54. **Ms.** Sally Ann **Debrum** (Marshall Islands) said that the World Day Against Trafficking in Persons, held every year on 30 July, provided an ideal opportunity for community awareness-raising. The International Organization for Migration had visited the country's outer islands and remote areas to inform people about the issue and had provided training to teachers, police officers and other relevant public officials.

55. **Ms. Helkena** (Marshall Islands) said that a written response would be provided in respect of the trafficking of pregnant Marshallese women.

Articles 7 and 8

56. **Ms. Jahan** said that, while the State party had made commendable progress in terms of women's representation in decision-making and leadership positions, including the election of the country's first woman president, women remained underrepresented in political life. She wished to know what temporary special measures were envisaged to increase women's representation in parliament, perhaps through financial incentives or minimum thresholds to encourage political parties to field more women candidates in local and national elections. She wondered whether the Government had considered working with the Inter-Parliamentary Union, which had, among other measures, developed a plan of action for gender-sensitive parliaments that could prove useful. She would also like to know what specific measures were contained in the National Gender Mainstreaming Policy to increase women's political representation, implement national employment legislation and eliminate discriminatory practices and policies that barred women's participation in public and political life; and whether the Government had set a specific time frame and concrete objectives for increasing the numbers of women in elected and appointed posts and enhancing women's participation in decision-making in the civil service, the judiciary and on statutory bodies. In a similar vein, she asked whether any legislation was in place to ensure that women served as members of corporate boards of directors; whether any leadership and skills development training was available to improve women's participation in public and political life; and how the Government intended to encourage more women to represent their country at the international level and participate in the work of international organizations.

57. **Ms. Helkena** (Marshall Islands) said that steps were being taken under the National Gender Mainstreaming Policy to improve women's representation in decision-making, although a specific plan was ultimately needed. Measures to date had included holding a women's mock parliament and carrying out activities, in conjunction with Women United Together Marshall Islands, to encourage women to run in local elections. However, reaching women in remote areas remained a major challenge.

58. **Mr. Adiniwin** (Marshall Islands) said that, over the years, more and more women had stood for public office, thanks, in part, to awareness-raising campaigns. Although efforts to establish reserved seats to improve women's political representation had failed, the number of women in parliament was currently the highest in the country's history. That said, the Government was looking into introducing temporary special measures to further improve the situation.

59. **Ms. Jahan** said that, in addition to a specific plan to improve women's representation, it was important to establish a time frame, define goals and allocate the budget necessary for implementation. She asked whether there were any barriers, either in law or in practice, that prevented women from becoming tribal chiefs and, if not, how many women chiefs there were. Lastly, she would welcome data on the proportion of women on statutory boards and in the national police, the judiciary, the civil service.

60. **Mr. Adiniwin** (Marshall Islands) said that currently one of the three judges of the Traditional Rights Court was a woman. The title of tribal chief was a hereditary one that could be held by women and men heirs alike.

61. **Ms. Helkena** (Marshall Islands) said that, under the current policy, at least one woman member was required on all statutory boards. In fact, women outnumbered men on boards of education. The relevant data would be provided in writing at a later date.

Article 9

62. **Ms. Schulz** said that, while the fact that Marshallese women and men had equal rights to transfer their nationality to foreign spouses and to their children was positive, she had been concerned to read in the State party's report (CEDAW/C/MHL/1-3, para. 118), that Marshallese women were being exploited by foreign men who married them to gain Marshallese citizenship, which gave them visa-free entry to the United States of America, and then simply abandoned them. She wished to know what measures were being taken to combat such exploitation and introduce safeguards to support women whose children had been taken abroad by the father or whose husbands had left them without paying alimony or child support.

63. **Mr. Adiniwin** (Marshall Islands), describing the procedures involved when a foreign national married a Marshallese national, said that efforts were being made to prevent exploitative situations. As things stood, a foreign national married to a Marshallese woman could only apply for citizenship after five years' residency. A number of options were being explored, including the possibility of increasing the minimum residency period.

64. **Ms. Schulz** said that she wondered whether any specific measures for detecting abusive marriages were envisaged, especially since the intent was clearly to obtain a Marshallese passport and gain entry to the United States, and whether any studies had been conducted to determine the extent of the problem.

65. **Mr. Adiniwin** (Marshall Islands) said that the Compact of Free Association between the United States and the Marshall Islands required naturalized Marshall Islands citizens to have resided in the State party for at least five years after obtaining citizenship in order to live and work in the United States. No provision was currently made for couples who later separated.

66. **Ms. Schulz** said that, according to her understanding, the Compact would soon expire. If so, she wished to know whether the rules would change or the two countries would continue on the same legal basis.

67. **Ms. Manalo** asked whether the State party cooperated with the United States in addressing the issue of marriage for visas.

68. **Mr. Adiniwin** (Marshall Islands) said that only the economic relations under Title II of the Compact would expire in 2023.

Article 10

69. **Ms. Gbedemah** said that gender-disaggregated data on school attendance rates would be useful for determining the success of the compulsory school initiative. She would also like to know whether sanctions had been imposed on the parents of the 22 per cent of children who reportedly did not attend school; whether the efficacy of the Prevention of Adolescent Pregnancy Strategy had been assessed; and what measures had been taken to encourage teenage mothers to return to school after giving birth and to ensure their continued attendance. Noting that the 15-day absence from school permitted for pregnant teenagers was insufficient, since maternity leave itself exceeded that length of time, she invited the delegation to explain how the strategy worked in practice. It was regrettable that the strategy did not apply in private schools. Had a timeline been established for their compliance? She would also like to know how the Government enforced policies for reducing the school dropout rate due to pregnancy in the absence of any specific legislation.

70. Noting with concern that sex education was not a compulsory requirement and that family education was not a satisfactory substitute, she asked how the State party would ensure that sex education in line with the Committee's guidelines would be integrated into the curriculum at all levels of schooling. She also wished to know whether the Government had considered introducing human rights education in schools.

71. Referring to the State party's replies to the list of issues (CEDAW/C/MHL/Q/1-3/Add.1, para. 9), which indicated that teachers would be empowered to participate in the creation and implementation of equitable school policies, she said she would be grateful for details of that initiative, including who was involved, how many policies had been influenced, what issues were covered, and what the impact had been. Information about the use of temporary special measures, including scholarships, quotas and training, to address segregation in study choices would likewise be useful. She also wished to know what action had been taken to address shortcomings in the quality of education in the outlying islands, particularly in terms of providing qualified teachers; what was being done to make schools disaster-resilient; and what financial costs were involved. Lastly, she asked whether legislative processes were in place to repeal the right to use force to prevent or punish children's misconduct.

72. **Ms.** Sally Ann **Debrum** (Marshall Islands) said that the State party used enrolment data when developing policies and plans. New schools had been opened and more teachers had received training, yet ensuring that children attended school remained a challenge. No assessment of the Prevention of Adolescent Pregnancy Strategy had been conducted to date. Pregnant teenagers who were unable to complete the school year were encouraged to continue school the following academic year. The fact that girls often went to the United States to give birth made data collection difficult; nevertheless, the State school system, in conjunction with the Ministry of Education, was endeavouring to overcome the issue. The National Board of Education was in the process of establishing a timeline for private schools to comply with the Prevention of Adolescent Pregnancy Strategy, and the strategy would soon be in place; further details on the plans would be submitted in writing.

73. Family education did encompass sex education, but the State party was working with the NGO Youth to Youth in Health to train teachers specifically in sex education and to raise sexual awareness in schools in general. Human rights education would be integrated as part of revisions to the school curriculum, and the conventions of each of the treaty bodies would be covered. The State party encouraged girls to take courses in science, technology, engineering and mathematics, particularly at secondary school level. In the outlying islands, 15 schools had Internet access and, with the College of the Marshall Islands, work was under way to build satellite schools on the most populated islands. A large number of teachers held qualifications; however, many did not wish to live and work on remote islands. The Child Protection Policy and the Child Rights Protection Act prohibited corporal punishment in schools.

74. **Ms. Gbedemah** suggested that the State party should refer to general recommendation No. 36, on the right of girls and women to education, and perhaps offer teachers incentives to remain on the outlying islands.

75. **Ms. Manalo** asked to what extent teenagers were informed of their rights and responsibilities with regard to sex.

76. **Ms.** Sally Ann **Debrum** (Marshall Islands) said that sex education would be included in the family health education syllabus from autumn 2018. Youth to Youth in Health also ran sex education courses and trained teachers.

77. **Ms. Jahan** asked whether the State party had introduced initiatives to reduce the indirect costs of education, such as books, stationery and school uniform, which dissuaded many girls from attending school.

78. **Ms. Helkena** (Marshall Islands) said that the State party expected to receive funding from UNICEF and the World Bank for programmes to improve social services and support for children, following reports of stunted growth owing to a lack of nutrition.

79. **Ms.** Sally Ann **Debrum** (Marshall Islands) said that a school food programme had been introduced in the outlying islands, with support from the Ministry of Culture and Internal Affairs, that was designed to promote healthy eating and teach children how to grow their own food.

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80. **Ms. Rana** asked what measures, including temporary special measures, the State party intended to adopt to increase the overall employment rate of women. It would be useful to collect statistical data for the next reporting period. Noting that a significant wage gap persisted, despite the State party's commendable efforts to enforce the principle of equal pay for equal work in line with the ILO Equal Remuneration Convention, 1951 (No. 100), she asked what progress had been made towards calling a board of inquiry to discuss the gap and when the inquiry would take place. She would also appreciate an explanation as to why the minimum wage had so far been raised to $2.50 per hour only, rather than to $3, as provided in a bill currently before the Nitijela. What timeline had been set for implementing a $3 minimum wage?

81. She wished to note that the bill currently under consideration that would extend maternity leave for public sector employees from 20 days to 1 month was inadequate, as the new period proposed still fell short of the ILO standard of 14 weeks set under the Maternity Protection Convention, 2000 (No. 183). Noting also that there was no law regulating maternity leave in the private sector, she asked when the Government expected to adopt the aforementioned bill and whether it was taking steps to bring its maternity legislation into line with ILO standards. Since women were often compelled to leave their jobs after childbirth due to a lack of childcare facilities, she wished to know whether the Government would consider establishing such facilities in the future and whether there were any current provisions allowing women to take breaks or reduce their working hours in order to breastfeed. An update of the legislation and policies in place to prohibit sexual harassment and ensure that such cases were duly reported would be helpful, as would details of the mechanisms used to ensure proper implementation of such legislation and policies.

82. **Mr. Adiniwin** (Marshall Islands) said that the minimum hourly wage was currently $3, and was raised by 50 cents every September. The bill on minimum conditions of employment allowed nursing mothers two breaks per day, provided for maternity leave in the private sector and also covered sexual harassment. Women were able to extend their maternity leave by two months by taking sick leave.

The meeting rose at 1 p.m.